

Bill No. CS for SB 1328

Amendment No. ____

Senate

CHAMBER ACTION

House

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Senators Burt, Silver, and Gutman moved the following amendment:

Senate Amendment (with title amendment)

On page 5, lines 15-22, delete those lines

and insert:

(3) An attorney who applies for registration and court appointment as counsel in postconviction capital collateral proceedings must certify that he or she is counsel of record in not more than four such proceedings and, if appointed to represent a person in postconviction capital collateral proceedings, shall continue such representation under the terms and conditions set forth in s. 27.711 until the sentence is reversed, reduced, or carried out or unless permitted to withdraw from representation by the trial court. The court may not permit an attorney to withdraw from representation without a finding of extraordinary circumstances and sufficient good cause. The court may impose appropriate sanctions if it finds that an attorney has shown bad faith with respect to continuing to represent a defendant in a postconviction

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1 capital collateral proceeding. This section does not preclude
2 the court from reassigning a case to a capital collateral
3 regional counsel following discontinuation of representation
4 if a conflict of interest no longer exists with respect to the
5 case.

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8 ===== T I T L E A M E N D M E N T =====

9 And the title is amended as follows:

10 On page 1, line 23, after the semicolon,

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12 insert:

13 limiting the circumstances under which the
14 court may permit an attorney to withdraw from
15 representation following appointment;
16 authorizing the court to impose sanctions;

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